

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

WILLIAM WALLACE,

Plaintiff,

v.

RENTGROW, INC.,

Defendant.

Civil Action No. 1:23-cv-01152-PLM-RSK

Honorable Paul L. Maloney

**CONSENT MOTION TO SEAL THE ORIGINAL ANSWER
AND FOR LEAVE FOR DEFENDANT TO FILE
AN ANSWER TO AMENDED COMPLAINT**

Defendant RentGrow, Inc. (“RentGrow”), herein respectfully moves, with the consent of the Plaintiff William Wallace (“Plaintiff” or “Mr. Wallace”) for entry of an Order sealing the original Answer filed by RentGrow to Plaintiff’s now sealed Complaint [Dkt 1] and for leave to file an Answer to the Plaintiff’s Amended Complaint pursuant to Fed. R. Civ. P. 15(a)(2) and Local Rules 5.7, 7.1, and 10.6. In support of its Motion, RentGrow respectfully states as follows:

1. On July 13, 2023, Plaintiff filed his complaint in this action as *John Doe v. RentGrow, Inc.* in the Northern District of Indiana along with a Motion to Proceed Under Pseudonym. Dkt. 1.

2. On August 29, 2023, Defendant filed its Answer to Complaint. Dkt. 11.

3. Pursuant to the Local Rules of the Northern District of Indiana, RentGrow’s Answer set forth the Plaintiff’s allegations verbatim followed by RentGrow’s Answer or Response to each stated allegation. RentGrow’s Answer also set forth the applicable affirmative and other defenses. *Id.*

4. On October 12, 2023, the Parties jointly submitted Joint Motion to Seal Original Complaint and For Leave to File Publicly Amended Complaint seeking leave of the Northern District of Indiana to seal the original Complaint filed in this action and to permit the Plaintiff to file an Amended Complaint revealing his true identity while removing the allegation setting for the specific nature of the allegedly expunged criminal record at issue in this case. Dkt. 18.

5. The Court granted the Motion on October 13, 2023. Dkt. 20.

6. On October 18, 2023, Plaintiff, as William Wallace, filed his Amended Complaint against Defendant [Dkt. 21] which contained no substantive change to the allegations.

7. The Parties also filed a Motion to Transfer the action from the Northern District of Indiana to this Court, which was granted on October 30, 2023. Dkt. 23.

8. Though there were no substantive changes to the allegations, and thus no changes to the responses and defenses asserted by RentGrow in its original Answer, RentGrow now respectfully seeks leave to file an Answer to the Amended Complaint and to seal the original Answer [Dkt. 11] which contains the verbatim allegations of the original (now sealed) Complaint.

9. Pursuant to L.R. 10.6(b), documents may be submitted under seal only if authorized by statute or by the court for good cause shown. In this matter, good cause to seal RentGrow's Answer is shown by the U.S. District Court for the Northern District of Indiana's Order granting Motion to Seal Original Complaint [Dkt. 20] to which Defendant's Answer was responsive.

10. Pursuant to Fed. R. Civ. P. 15(a)(2), a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires. Here, leave is appropriate for the reasons stated in the Order granting leave to seal the original Complaint and permit the amendment of the Complaint.

11. Attached as **Exhibit 1** is a true and correct copy of Defendant's proposed Answer to Amended Complaint and Affirmative Defenses.

12. Plaintiff consents to Defendant's filing of Answer to Amended Complaint and Affirmative Defenses and to the sealing of the original Answer.

WHEREFORE, RentGrow respectfully requests that this Court enter an Order granting the motion for leave to file an Answer to the Amended Complaint and to seal the original Answer. A proposed Order is attached as **Exhibit 2**.

Respectfully submitted this 6th day of December 2023.

/s/Timothy P. Monsma

Timothy P. Monsma

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Counsel for Defendant RentGrow, Inc.

Certificate of Compliance pursuant to Local Rule 7.1(d)

I hereby certify that Plaintiff William Wallace, through his counsel James Ristvedt, consents to Defendant RentGrow, Inc.'s motion for leave to file an Answer to the Amended Complaint and to seal the original Answer.

Respectfully submitted this 6th day of December 2023.

/s/Timothy P. Monsma

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Counsel for Defendant RentGrow, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2023, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which will send notice of such filing to all attorneys of record in this matter. Since none of the attorneys of record are non-ECF participants, hard copies of the foregoing have not been provided via personal delivery or by postal mail.

/s/Timothy P. Monsma

Timothy P. Monsma